

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

**L'Anse Warden Electric Company, LLC
157 South Main Street
L'Anse, Michigan 49946**

ATTENTION:

**Mike Reed
General Manager and Chief Operating Officer**

Request to Provide Information Pursuant to the Clean Air Act

The U.S. Environmental Protection Agency is requiring L'Anse Warden Electric Company, LLC (L'Anse Warden or you) to submit certain information about the facility at 157 South Main Street, L'Anse, Michigan. Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit. You must send this information to us according to the schedule provided in Appendix B.

We are issuing this information request under Section 114(a) of the Clean Air Act (the CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information and monitoring. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

L'Anse Warden owns and operates an emission source at the L'Anse, Michigan facility. We are requesting this information to determine whether your emission source is complying with the Michigan State Implementation Plan and whether your source is subject to the Commercial or Industrial Solid Waste Incineration (CISWI) Units at 40 CFR Part 60, Subpart DDDD.

L'Anse Warden must send all required information to: smith.molly@epa.gov,

R5airenforcement@epa.gov, and the following:

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

L'Anse Warden must submit all required information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act and 18 U.S.C. §§ 1001 and 1341.

As explained more fully in Appendix C, you may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B, for any part of the information you submit to us. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice. You should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emissions data, standards and limitations are not entitled to confidential treatment and shall be made available to the public notwithstanding any assertion of a business confidentiality claim. Appendix C provides additional information regarding the meaning and scope of the term "emissions data."

This information request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from L'Anse Warden, a specific entity as part of a discrete administrative action or investigation.

We may use any information submitted in response to this request in an administrative, civil or criminal action.

Failure to comply fully with this information request may subject L'Anse Warden to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

You should direct any questions about this information request to Molly Smith at (312) 353-8773.

Date

11/3/15

George T. Czerniak
Director
Air and Radiation Division

Appendix A

When providing the information requested in Appendix B, use the following instructions and definitions.

Instructions

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
2. Precede each answer with the number of the question to which it corresponds and at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where information or documents necessary for a response are neither in your possession nor available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.
6. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

Electronic Submissions

To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for "image over text" to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel format, and not in image

format. If Excel format are not available, then the format should allow for data to be used in calculations by a standard spreadsheet program such as Excel.

3. Provide submission on physical media such as compact disk, flash drive or other similar item.
4. Provide a table of contents for each compact disk or flash drive containing electronic documents submitted in response to our request so that each document can be accurately identified in relation to your response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
5. Documents claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please follow the instructions in Appendix C for designating information as CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.

Definitions

All terms used in this information request have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 *et seq.*, and the Michigan State Implementation Plan and the Commercial or Industrial Solid Waste Incineration (CISWI) units regulation at 40 CFR Part 60, Subpart DDDD.

1. The term "Boiler No. 1" shall mean the boiler identified in "EU-BOILER#1" in L'Anse Worden's Permit to Install No. 168-07D, "Emission Unit Summary Table," issued October 25, 2012.
2. The terms "document" and "documents" shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include attachments to or enclosures with any documents.
3. The terms "relate to" or "pertain to" (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating or relevant to.

Appendix B

Information You Are Required to Submit to EPA

L'Anse Warden Electric Company, LLC (L'Anse Warden) must submit the following information pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a) according to the schedule provided below for your facility located at 157 South Main Street, L'Anse, Michigan. L'Anse Warden must submit the information for Items 1 and 2 below within 7 calendar days of receipt of this request, and the remaining items within 30 calendar days from receipt of this request.

1. Provide copies of all documentation relating to any stack testing, internal audits, emissions test runs, emissions characterizations, visible emission testing, or emissions studies, conducted or attempted at the facility for the period of January 1, 2007 to present (i.e. stack tests, emission studies conducted on the plant or on specific production processes). For each test submitted, ensure the fuel used (specific type and ratio) is clearly identified. Also for each test run when the electrostatic precipitator was running include the average electric power value (secondary voltage x secondary current = secondary electric power) and identify the lowest 1-hour average secondary electric power measured during the each performance test.
2. Provide copies of any visible emissions testing (non-Reference Method visible readings) conducted at the facility between January 1, 2010 and January 1, 2015, if not already included in Item 2.
3. L'Anse Warden stated in the Renewable Operating Permit application MI-ROP-B4260-2011, Part H, Number 6 that the facility was not subject to New Source Performance Standards that regulate Commercial or Industrial Solid Waste Incineration (CISWI) units. Provide any analysis, determinations, or reports used to support the conclusion that the L'Anse Warden facility is not subject to CISWI unit regulations.
4. Provide copies of annual compliance certifications, semiannual compliance certifications, and deviation reports from January 1, 2010 to July 1, 2015.
5. Provide continuous opacity monitor (COM) measurements (opacity per minute) in an Excel spreadsheet for the time period January 1, 2013 to October 15, 2015.
6. Provide a copy of the most current Fugitive Dust Plan used by the facility.

7. Provide a list of all fugitive dust related corrective actions taken by the facility from January 1, 2015 to present. Include a justification for why each action was taken and the result of the action.
8. Provide a discussion about the fuels used by the facility. Include a discussion of how oil, natural gas, and coal are used by the facility (start-up, flame stabilization, etc.).
9. Provide an excel document detailing the daily fuel usage and specific blend percentages for every day from October 15, 2014 to October 15, 2015.
10. Provide a list of the fuels used by the facility and the corresponding storage capacities. Also, provide the current storage levels at the facility.
11. Provide a copy of the facility's current Fuel Procurement and Monitoring Plan (FPMP). If not included in the FPMP, provide a list of fuels that are unacceptable to be burned in the unit and will not be accepted by the facility.
12. Provide copies of all Prevention of Significant Deterioration (PSD) permits received and permit applications submitted for the period January 1, 2005 to present.
13. Provide copies of all documents including, but not limited to, reports, correspondence, memoranda, and phone discussion summaries related to Clean Air Act PSD and New Source Performance Standards applicability for any projects undertaken between 2005 and the present.
14. Provide copies of all load capacity test data/test reports for Boiler No. 1 since January 1, 2002.
15. Provide copies of all reported generating capability for Boiler No. 1 for each year from 2002 to present, reported to any federal (e.g., Department of Energy), State (e.g., Michigan Utility Regulatory Commission) or local governmental body.
16. Provide copies of original design, natural gas design, and current boiler cross-sectional diagrams for Boiler No. 1.
17. Provide copies of all studies, evaluations, assessments, and reports related to extending or optimizing the life or increasing the reliability of Boiler No. 1 from January 2002 to date.
18. For the conversion of Boiler No. 1 to Biomass in or about 2007, provide the following information:
 - a. Exact out-of-service and in-service dates (month/day/year) for the listed outages;
 - b. Total cost of the outage and a list of all expenses related to the outage:

- c. All associated project authorization requires with authorized expenditure, authorizing signatures, approval dates, and any associated attachments, addendums or supporting documentation;
 - d. All work orders, including work order approvals with authorizing signatures;
 - e. Work order project completion reports;
 - f. Project justifications/benefits;
 - g. Cost/benefit analyses;
 - h. Alternative option analyses;
 - i. All correspondence with the State or regulatory agency regarding the potential applicability or exemption of any provision of the Clean Air Act;
 - j. Copies of all emission calculations performed in conjunction with the outage, including calculations performed before the conversion was commenced and after the conversion was completed, as well as any determination(s) that no emission calculations were necessary; and
 - k. All documents describing the purpose or goals of the conversion of Boiler No. 1 to biomass.
19. For Boiler No. 1, provide the following monthly and annual data from January 1, 2002 through present:
- a. The capacity factor;
 - b. The equivalent availability factor;
 - c. Total gross and net generation (MW-hr);
 - d. Average heat rate (Btu/KW-hr);
 - e. Fuel usage (in tons for coal and millions of cubic feet/month for natural gas);
 - f. Average coal heat content (Btu/lb); and
 - g. Operating hours under load.
20. Provide a copy of data reflecting generating availability for the period from January 1, 2002 through present for Boiler No. 1. This information should include:
- a. Lost generation as a result of forced, maintenance, or scheduled outages and curtailments (in MW-hr);
 - b. Duration (in hours) of each outage, derating, and curtailment;
 - c. Start date and time of each outage/curtailment;
 - d. End date and time of each outage/curtailment; and
 - e. Description of cause or reason for outage/curtailment.
21. Provide all documents related to the modeling of expected unit performance or any determination made and/or submitted related to dispatching of the unit between 2000 to date.

Appendix C

Confidential Business and Personal Privacy Information

Assertion Requirements

You may assert a business confidentiality claim covering any parts of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emission data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

“Emission data” means, with reference to any source of emissions of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. § 2.301(a)(2)(i)(A), (B) and (C).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as “trade secret” or “proprietary” or “company confidential” and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth at Section 114I of the CAA and 40 C.F.R Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the Request to Provide Information as a waiver of that claim, and the information may be made available to the public without further notice to you.

Determining Whether the Information is Entitled to Confidential Treatment

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that you must satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; that the information is not and has not been reasonably obtainable by legitimate means without your consent and that disclosure of the information is likely to cause substantial harm to your business's competitive position.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking that you support your confidential business information (CBI) claim. If you receive such a letter, you must respond within the number of days specified by EPA. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential **by page, paragraph, and sentence**. Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being CBI, EPA will ask that you answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, *e.g.*, until a certain date, until the occurrence of a special event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question number 1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, **explain with specificity** why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. Is there any other information you deem relevant to EPA's determination regarding your claim of business confidentiality?

If you receive a request for a substantiation letter from the EPA, **you bear the burden of substantiating your confidentiality claim.** Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

Personal Privacy Information

Please segregate any personnel, medical and similar files from your responses and include that information on a separate sheet(s) marked as "Personal Privacy Information." Disclosure of such information to the general public may constitute an invasion of privacy.

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Request to Provide Information Pursuant to the
Clean Air Act by Certified Mail, Return Receipt Requested, to:

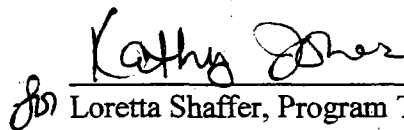
Mike Reid
General Manager and Chief Operating Officer
L'Anse Warden Electric Company, LLC
P.O. Box 695
29639 Willow Road
White Pine, Michigan, 49971

I also certify that I sent a copy of the Request to Provide Information Pursuant to the
Clean Air Act by First-Class Mail to:

Chris Hare
District Supervisor
Michigan Department of Environmental Quality
Saginaw Bay District Office
401 Ketchum Street
Bay City, Michigan 48708

Mike Reid
General Manager and Chief Operating Officer
L'Anse Warden Electric Company, LLC
157 South Main Street
L'Anse, Michigan 49946

On the 3rd day of November 2015.



Loretta Shaffer, Program Technician
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER:

7014 2870 0001 9581 4496